

**Planning Commission Workshop
Project Summary**

Project Number	PC11-245FSI
Project Name	Hood College Pool House Renovation
PC Workshop Date	February 21, 2012

Proposal:

The proposal is located on the campus of Hood College at 401 Rosemont Avenue. The property is zoned Institutional (IST). The Applicant wishes to demolish the existing pool house (2,290sf) and two single family homes located at the corner of Magnolia Avenue and Belmont Avenue to reconstruct the pool house (2,129sf) and six new tennis courts. The total limit of disturbance is roughly 92,000sf.

The Applicant is also requesting a fence modification to construct an eight foot fence along Magnolia Avenue. Section 821 of the Land Management Code (LMC) allows a maximum fence height of six feet in the IST zoning district when adjacent to a residential district.

Important Issues:

Land Use

Buildings in the IST district are required to comply with the Class C requirements of the urban design standards found in Section 604(d). Class C standards require that a minimum of four (4) of the prescribed design elements be incorporated into the layout and architecture of the building. In development proposals such as this, the application of the prescribed design elements is often difficult to achieve because the structure is internal to a campus setting and does not front on a public street. Many of the criteria within Section 604(d) emphasize the creation of a pedestrian oriented streetscape, similar to that of Frederick's downtown, and as such, are not readily applicable in this instance.

The Applicant has provided a written narrative explaining how the proposed pool house meets the intent of each of the criteria, however, Staff has reviewed the narrative and finds that the Applicant has provided appropriate justification documenting compliance with building orientation, building design structure/alignment, ground floor design, and mechanical equipment.

With regards to the two homes that will be demolished, both properties are within the boundaries of the Hood College Historic District and the home at 602 Magnolia is noted in the National Register nomination form as being a contributing resource to the district. Listing on the National Register alone does not offer any protection to demolition and the only review comes from any state or federal funding, permitting or licensing. Historic Preservation Staff have requested that archival quality photographic documentation be provided or that permission be granted to the City to allow Staff to document the structures before demolition.

Lighting for the tennis courts will be limited to five, 12' tall lamp posts along the walkway behind the tennis courts for pedestrian safety. The photometric plan documents that illumination levels will be reduced to 0 foot candles at the property line. +

Parking and Traffic

The proposed reconstruction of the pool house is less than the size of the previous pool house; as such the project is not subject to a traffic analysis and is not required to provide additional parking on campus. The minimum parking standard for a college is based on the total number of pupils or the square footage of structures on the campus. The reconstruction of the pool house and tennis courts does not generate additional students nor has the square footage of structures on the campus been increased.

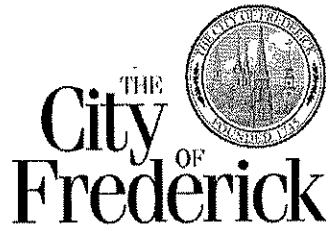
Modification Requests

Section 821(d) Fence Modifications:

As stated above, The Applicant is requesting a fence modification to construct an eight foot chain link fence along Magnolia Avenue. Section 821 of the Land Management Code (LMC) allows a maximum of six foot fences in the IST zoning district when adjacent to residential district. The Applicant has requested this modification along the western boundary adjacent to Magnolia Avenue from the length of W 7th Street to Belmont Avenue, just west of the new tennis courts.

The new fence will replace existing fencing between W 7th Street and Blazer Terrace that ranges in height from six to ten feet. The new eight foot fence in this area will be replaced in its current location, along the property line. From Blazer Terrace west to Belmont, the fencing will "step back" to a distance of 10' from the property line and a row of plantings will be installed to buffer the fence.. The Applicant has requested the modification with the justification that the fence enhances the safety and aesthetic value for the adjacent properties. The Applicants justification for the modification is included with this summary.

Randy McClement
Mayor



Aldermen

Karen Lewis Young
President Pro Tem

Michael C. O'Connor
Shelley M. Aloï
Carol L. Krimm
Kelly M. Russell

February 13, 2012

Kimley-Horn and Associates, Inc.
C/o Kevin Van Hise
13221 Woodland Park Road
Herndon, VA 20171

Re: PC11-245FSI: Hood College Pool House (NAC #6)

Dear Mr. Van Hise:

Staff has reviewed the above-referenced plan. Staff has divided comments into two sections: issues of major concern, and those that are of a technical nature. In order for this application to be in compliance, please address the following comments:

ISSUES OF MAJOR CONCERN

1. The single family structures proposed to be demolished are within the boundaries of the Hood College Historic District. According to the National Register of Historic Places Registration Form (MHT Number F-3-189) the building located at 602 is listed as being a contributing resource to the district. This factor does not prohibit the demolition, however we request that you provide archival quality photographic documentation of the two buildings, or grant us permission to access the grounds to photograph the buildings prior to demolition.
2. Per Section 605(f), street trees are required to be planted every 50ft on center along local roadways, it appears that street trees are not present along Magnolia Avenue and Belmont Avenue adjacent to the LOD.
 - a. After conversation with the City Arborist, the street trees should be planted 3ft behind the existing sidewalks and a street tree easement must be executed to allow for city maintenance.
 - b. Street tree species must be in accordance with Section 1202.
3. The driveway apron and curb cuts from Belmont Avenue to the single family structures must be removed and the standard frontage improvements for public streets, consisting of curb, gutter, and sidewalk, must be installed. Show the proposed curb and gutter and note other elements as "to be removed."

4. Archeological assessment is still pending and must be completed prior to a PC hearing.

TECHNICAL ISSUES

1. The mature diameter of the White Pine should not encroach into the City ROW. Please choose a different location or specie of conifer that will have a mature width that is contained on the subject property.
2. Extend the limit of disturbance to include the abandonment of public water and sewer to the structures proposed to be demolished.

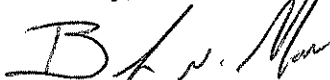
<u>APPROVAL AGENCIES</u>	<u>NO WRITTEN RESPONSE</u>	<u>RESPONSE, NO COMMENT</u>	<u>VERBAL OR WRITTEN COMMENTS ATTACHED OR BELOW</u>
CITY ENGINEERING DEPARTMENT			X
CITY SURVEYOR	X		
TRAFFIC ENGINEER	X		
FIRE ENGINEER		X	
DEPARTMENT OF PUBLIC WORKS			X

Comments are required before this plan can move forward

******Important******

Once **all** of the comments have been addressed, please submit 10 paper copies (**one of which is highlighted**) of the plan and a response letter addressing all agency comments. This office shall receive the resubmission, with all comments addressed, of this plan no later than **February 27th** to be placed on the **March 12, 2012** Planning Commission agenda. If you have any additional questions concerning this project, please feel free to contact me at 301-600-1770 or if you prefer by electronic mail at bmark@cityoffrederick.com.

Sincerely,



Brandon Mark
City Planner

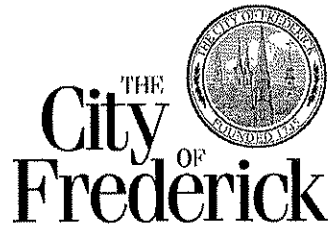
CC:

Gabrielle Dunn, Division Manager of Current Planning
Chron File

PC 11-245-FSI

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Randy McClement
Mayor



Aldermen

Karen Lewis Young
President Pro Tem

Michael C. O'Connor
Shelley M. Aloï
Carol L. Krimm
Kelly M. Russell

Date: FEBRUARY 7, 2012:

Engineering, Land Development and Traffic Comments

Re: PZ-11-00245: Hood College

The Engineering Department requests a point-by-point response letter to the following comments. Please include the original comments in your point-by-point resubmittal.

1. Accessible space should be located to the closest accessible entrance.
2. No accessible route shown.

Reviewed by Wright, Kershner, Hahn, and Walzl. Entered 2/7/12 by sstamper.

**Planning Commission Workshop
Project Summary**

Project Number	PC12-52FSCB
Project Name	Hood College Pool House Renovation
PC Workshop Date	February 21, 2012

Proposal:

The proposed Combined Forest Stand Delineation and Preliminary Forest Conservation Plan is being filed in conjunction with the final site plan application for the Hood College Pool House renovation. The Applicant is requesting approval by mitigating through payment of fee-in-lieu.

Important Issues

The Limits of Disturbance (LOD) is 2.11 acres requiring the mitigation of 0.317 acres. The Applicant has requested a canopy credit of .057 acres; however the City does not have a credit provision specifically for the canopy coverage of existing trees. Instead, there are provisions for landscaping credits and provisions that allow for the caliper of individual specimen trees to be credited towards forest. If the Applicant would like to apply for either credit, additional information is required in accordance with Section 721(d)(5)(F) of the LMC.

Removal of Specimen Trees

The Applicant is proposing to remove six (6) specimen trees. Per Section 721(d)(1), *Retention Priorities*, specimen trees, or those having a diameter at breast height (dbh) greater than 25", should be retained unless the applicant demonstrates to the satisfaction of the approving authority that reasonable efforts have been made to protect them and that it cannot be reasonably accomplished. While the City does not have a penalty for removal of specimen trees, the Applicant is proposing that the removal of these specimen trees is offset by additional plantings that are being provided on the site as part of the development plan based on a cost estimate of the new plantings.

Outstanding Issues

The Forest Plan was submitted after the Final Site Plan, as such staff has only reviewed and provided comments one time prior to this workshop. Staff is requesting that the Applicant remedy the following prior to the Planning Commission Hearing so that site plan proposal is not delayed:

Forest Stand Delineation

The Applicant must provide a Forest Stand Delineation to accompany the Preliminary Forest Conservation Plan.

Forest and Specimen Tree Study

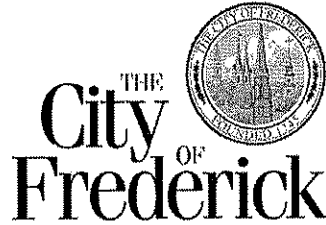
Hood College has provided the City with a comprehensive evaluation of the trees and vegetation on the Campus so that we can ensure development proposals and forest conservation plans meet the Forest Conservation Ordinance. Staff is requesting that revised version of this document be provided to account for the changes that are occurring in regards to removing specimen trees and planting new trees.

Justification for payment of fee-in-lieu

Per Section 721(b)(7)(b) the Applicant must demonstrate that the requirements for reforestation or afforestation on-site or off-site cannot be reasonably accomplished prior to requesting mitigation through fee-in-lieu. Staff has not received justification for the fee-in-lieu payment.

In most forest conservation plans, staff prefers on-site or off-site afforestation or the use of landscape credits to use in place of, or to reduce the payment of fee-in-lieu. When the Applicant provides the plantings, the City has the opportunity to improve the City canopy coverage and increase the overall forest cover.

Randy McClement
Mayor



Aldermen

Karen Lewis Young
President Pro Tem

Michael C. O'Connor
Shelley M. Aloï
Carol L. Krimm
Kelly M. Russell

February 13, 2012

Kimley-Horn and Associates, Inc.
C/o Kevin Van Hise
13221 Woodland Park Road
Herndon, VA 20171

Re: PC12-52FSCB: Hood College Combined Forest Stand Delineation and Preliminary Forest Conservation Plan (NAC #6)

Dear Mr. Van Hise:

Staff has reviewed the above-referenced plan. Staff has divided comments into two sections: issues of major concern, and those that are of a technical nature. In order for this application to be in compliance, please address the following comments:

ISSUES OF MAJOR CONCERN

1. A Forest Stand Delineation must accompany this submittal.
2. Please revise the Forestry and Specimen Tree Study for the Hood College that was completed as part of the Hood Athletic Building development plan to account for the changes associated with this plan.
3. A narrative must be provided to demonstrate that requirements for reforestation or afforestation on-site or off-site cannot be reasonably accomplished prior to claiming mitigation through the payment of fee-in-lieu. In addition, in the narrative, please include a justification for why the specimen trees cannot be retained.
4. The City does not recognize canopy credits. Credits may be granted for caliper inches of tree. Please provide mitigation for the entire .317 acres unless additional credits are sought for the caliper.
 - a. Tree 1686, the 30" London Plane is a city owned street tree and may not be counted towards canopy area. Please label it as such.
5. The cost method used in the Hood College Forestry study was \$1,500 per 5" tree installed, the specimen tree mitigation for this proposal should be consistent with previous studies.

6. Specimen tree mitigation should not utilize compensating features for other development proposals to use as mitigation for the removal of specimen trees.

TECHNICAL ISSUES

1. Please remove improvement plans from the title block.
2. Contours should be delineated on the forest stand delineation.
3. Amend the specimen tree table to indicate that tree #1868 is to remain.
Label plan as PC12-52FSCB.

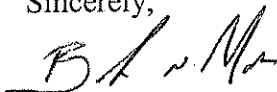
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CITY ENGINEERING DEPARTMENT		X	
DEPARTMENT OF PUBLIC WORKS			X

Comments are required before this plan can move forward

****Important****

Once **all** of the comments have been addressed, please submit 10 paper copies (**one of which is highlighted**) of the plan and a response letter addressing all agency comments. This office shall receive the resubmission, with all comments addressed, of this plan no later than **February 27th** to be placed on the **March 12, 2012** Planning Commission agenda. If you have any additional questions concerning this project, please feel free to contact me at 301-600-1770 or if you prefer by electronic mail at bmark@cityoffrederick.com.

Sincerely,



Brandon Mark
City Planner

CC:

Gabrielle Dunn, Division Manager of Current Planning
Chron File

**Planning Commission Workshop
Project Summary**

Project Number	PZ-12-00046
Project Name	Section 410 PND Applicability
PC Workshop Date	February 21, 2012

Proposal:

The Applicant is proposing amendments to Section 410 of the Land Management Code (LMC) entitled, "Planned Neighborhood Development." The sole purpose of the Applicant's amendment is to allow for a Planned Neighborhood Development (PND) to be established on a property over 50 acres in size. Currently, Section 410, *Applicability and Approval Procedures*, states that, "A PND may be established on any tract not exceeding 50 contiguous acres." The Applicant is proposing to delete this statement and to renumber the remainder of subsection (a) accordingly.

Important Issues:

The PND provisions were originally established while the 1986 Zoning Ordinance was in place and are generally similar to the provisions that are in place today under the LMC. The concept of allowing a mix of residential uses along with supporting commercial uses where otherwise that would be prohibited by the zoning, through a master plan process has remained unchanged; however its applicability has changed significantly. Under Section 16.02 of the 1986 Zoning Ordinance, the PND technique could be applied to any tract not less than 50 acres in size and in any zoning districts, excluding the "M" districts, which can be generally characterized as industrial/employment areas. With the adoption of the LMC, the PND technique no longer applies to parcels over 50 acres and through a later amendment, it was established that the PND technique only applies to residential zoning districts.

The applicability standards for PNDs was so dramatically changed with the adoption of the LMC as a result of other changes made at that time, namely the adoption of the Traditional Neighborhood Development (TND) provisions of Section 411. While the TND standards do not explicitly apply only to parcels greater than 50 acres, an applicant seeking flexibility in developing a larger parcel would be limited to the TND standards. In order to understand why this was the intent in 2005, it is important to consider some of the important differences and distinctions between the two, aside from the applicability.

PND	TND
<ul style="list-style-type: none"> Commercial areas may be permitted but are not required and are limited to 1 acre/100 dwelling units Neighborhood Commercial (NC) uses are permitted by right but not mandatory and General Commercial (GC) uses are permitted only the area is rezoned. The maximum residential density is determined by the existing zoning district(s) and the minimum lot size 	<ul style="list-style-type: none"> Mandatory land uses categories include parks and open space, civic, commercial, multifamily, and single family/townhouses. Minimum land allocations standards are set for each land use category. Mandatory requirement of at least 15,000 square feet of commercial and 40 square feet/dwelling unit if the development is over 375 units. Defined minimum and maximum

permitted in those district(s). <ul style="list-style-type: none"> • Flexibility to modify the minimum lot size, frontage, height, setbacks, and ISR 	residential densities. <ul style="list-style-type: none"> • Design requirements include that the development must be arranged hierarchically with a center subarea, surrounding neighborhood subareas, and a parks and open space subarea. • Flexibility to modify the minimum lot size, frontage, height, setbacks, and ISR
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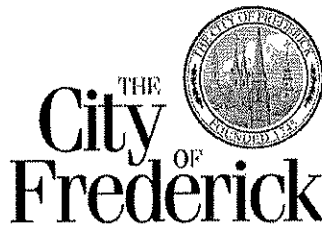
In analyzing the above in conjunction with the purpose statements of both Section 410 and 411, it is clear that the TND provisions aim to create a much more 'self-sufficient' community than what is envisioned by the PND regulations, which aim to provide only limited supporting services to a primarily residential community. In the justification statement, the Applicant has focused on issues related to the urban versus suburban character of communities and which of these development techniques is best suited in each context. Staff concurs with the Applicant's assessment and offers additional considerations as follows.

Staff questions the ability to develop a true TND on parcels that are over 50 acres but still limited in size. For example, the commercial component of a TND is intended to be the hub of the community located along a main street, ideally surrounding a square or plaza. In practice, and as discussed with previous plans such as Whittier and Worman's Mill, developing a self-sufficient and successful commercial component that is at least 15,000 square feet in size or larger, depending on the number of units, requires a significant population base from which to draw on. Without a threshold number of households, the commercial component becomes reliable on an outside market and therefore, requires certain visibility, limiting its ability to serve as a true hub of the community. In addition, the TND regulations contemplate the incorporation of large scale civic uses such as government offices, libraries, museums, schools, or churches. The appropriateness and viability of these uses in a modestly sized community is also a concern.

Based on the considerations noted above, Staff is concerned that there are limited alternatives to standard Euclidean development on parcels greater than 50 acres in size. In addition to the PND provision, the 1986 Zoning Ordinance offered design flexibility in the form of cluster development. While the cluster provisions did not allow for an increase in density or uses beyond what was permitted by a property's zoning, there was the ability to modify minimum lot sizes, widths, and setbacks in a manner that allowed for the preservation of open space and sensitive natural areas. In the absence of a similar provision under the current regulations, there is little incentive to encourage developers to design with nature. Eliminating the restriction on PNDs as proposed will allow a developer added flexibility without requiring compliance with the TND standards that might not be appropriate for smaller scale developments.

The proposed amendment offers immediate flexibility to developers of parcels greater than 50 acres seeking alternative design options, and as such, staff supports the proposal. Staff would recommend that additional consideration continue to be given to the concept of TNDs in general and encourages further discussion on that topic.

Randy McClement
Mayor



Aldermen

Karen Lewis Young
President Pro Tem

Michael C. O'Connor
Shelley M. Aloï
Carol L. Krimm
Kelly M. Russell

February 13, 2012

MEMORANDUM

To: City of Frederick Planning Commission

From: Gabrielle Dunn, Division Manager of Current Planning

A handwritten signature in black ink, appearing to be 'GD' or similar initials, written over the 'From:' line.

Re: Planning Commission Rules of Procedure

In an ongoing effort to improve the efficiency and effectiveness of the Planning Commission's proceedings, the Commission has requested that the Rules of Procedures (Approved January 13, 2009) be evaluated for needed updates.

In the past several months, several specific subsections have been identified as areas for improvement. These are as follows:

Section 2, 2.6

Currently allows a member to be absent from up to one-half of all of the meetings, including regular meetings, field trips and workshops, during a 12 month period. If a member misses more than one-half of the meetings, the Commission may recommend to the Mayor and Board that member's resignation be requested.

Section 3, 3.2

Requires the swearing in of all witnesses wishing to testify.

Section 4, 4.5

Currently, in order for the alternate member of the Commission to vote, a regular member has to be absent or have recused himself/herself from voting. If there is a vacancy on the Commission, the alternate is not able to vote under these provisions.

Section 8, 8.1

Currently, the Deputy Director of Planning, the Applicant, or any Party of Record may file a request for reconsideration on a decision rendered by the Planning Commission within 10 days of the decision.